

MOTION UNDER 28 USC § 2255 TO VACATE, SET ASIDE, OR CORRECT
SENTENCE BY A PERSON IN FEDERAL CUSTODY

United States District Court		District of Alexandria	
Name of Movant COREY THOMAS JONES		Prisoner No. #17789-083	Case No. 1:11 CR 530
Place of Confinement FEDERAL CORRECTIONAL INSTITUTION HAZELTON			
UNITED STATES OF AMERICA		v. COREY THOMAS JONES <small>(name under which convicted)</small>	

FILE
 NOV - 4 2014
 CLERK, U.S. DISTRICT COURT
 ALEXANDRIA, VIRGINIA

MOTION

1. Name and location of court which entered the judgment of conviction under attack ALBERT V. BRYANT
COURTHOUSE, 401 Courthouse Square, Alexandria, Virginia 22314
2. Date of judgment of conviction April 25, 2012 (Found guilty) / 7/18/2012 (Sentenced)
3. Length of sentence 16 years/200 months
4. Nature of offense involved (all counts) Conspiracy and armed bank robbery, 18 U.S.C. §371 And 18 U.S.C. §2 and 2113(A) and (D) respectively.
...Petitioner was acquitted of the firearm charge. §924(C)(1)(A)

5. What was your plea? (Check one)

(a) Not guilty ☒

(b) Guilty ☐

(c) Nolo contendere ☐

If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or indictment, give details:

6. If you pleaded not guilty, what kind of trial did you have? (Check one)

(a) Jury ☒

(b) Judge only ☐

7. Did you testify at the trial?
 Yes ☐ No ☒

8. Did you appeal from the judgment of conviction?
 Yes ☒ No ☐

9. If you did appeal, answer the following:

(a) Name of court U.S. Court of Appeals For the Fourth Circuit(b) Result Affirmed(c) Date of result July 13, 2013

10. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions with respect to this judgment in any federal court?

Yes ☐ No ☒

11. If your answer to 10 was "yes," give the following information:

(a) (1) Name of court _____

(2) Nature of proceeding _____

(3) Grounds raised _____

(4) Did you receive an evidentiary hearing on your petition, application or motion?

Yes ☐ No ☐

(5) Result _____

(6) Date of result _____

(b) As to any second petition, application or motion give the same information:

(1) Name of court _____

(2) Name of proceeding _____

(3) Grounds raised _____

(4) Did you receive an evidentiary hearing on your petition, application or motion?
 Yes ☐ No ☐

(5) Result _____

(6) Date of result _____

(c) Did you appeal, to an appellate federal court having jurisdiction, the result of action taken on any petition, application or motion?

(1) First petition, etc. Yes ☐ No ☐

(2) Second petition, etc. Yes ☐ No ☐

(d) If you did not appeal from the adverse action on any petition, application or motion, explain briefly why you did not:

The Petitioner Appealed his convictions to the Supreme

Court and was denied Certiorari on November 4, 2013. This is

Petitioner's first \$2255 Habeas petition.

12. State *concisely* every ground on which you claim that you are being held in violation of the constitution, laws or treaties of the United States. Summarize briefly the facts supporting each ground. If necessary, you may attach pages stating additional grounds and facts supporting same.

CAUTION: If you fail to set forth all grounds in this motion, you may be barred from presenting additional grounds at a later date.

For your information, the following is a list of the most frequently raised grounds for relief in these proceedings. Each statement preceded by a letter constitutes a separate ground for possible relief. You may raise any grounds which you have other than those listed. However, you should raise in this motion all available grounds (relating to this conviction) on which you based your allegations that you are being held in custody unlawfully.

Do not check any of these listed grounds. If you select one or more of these grounds for relief, you must allege facts. The motion will be returned to you if you merely check (a) through (j) or any one of these grounds.

- (a) Conviction obtained by plea of guilty which was unlawfully induced or not made voluntarily or with understanding of the nature of the charge and the consequences of the plea.
 (b) Conviction obtained by use of coerced confession.

- (c) Conviction obtained by use of evidence gained pursuant to an unconstitutional search and seizure.
- (d) Conviction obtained by use of evidence obtained pursuant to an unlawful arrest.
- (e) Conviction obtained by a violation of the privilege against self-incrimination.
- (f) Conviction obtained by the unconstitutional failure of the prosecution to disclose to the defendant evidence favorable to the defendant.
- (g) Conviction obtained by a violation of the protection against double jeopardy.
- (h) Conviction obtained by action of a grand or petit jury which was unconstitutionally selected and impaneled.
- (i) Denial of effective assistance of counsel.
- (j) Denial of right of appeal.

A. Ground one: DENIAL OF EFFECTIVE ASSISTANCE OF COUNSEL IN TRIAL

AND ON APPEAL.

Supporting FACTS (state *briefly* without citing cases or law): Please see Memorandum of
Law, Attached.

B. Ground two: ACTUAL INNOCENCE

Supporting FACTS (state *briefly* without citing cases or law): Please see Memorandum of
Law, Attached.

C. Ground three: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

D. Ground four: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

13. If any of the grounds listed in 12A, B, C, and D were not previously presented, state briefly what grounds were not so presented, and give your reasons for not presenting them: _____

Petitioner herein presents a total of Thirteen claims.

Please see attachments.

14. Do you have any petition or appeal now pending in any court as to the judgment under attack?

Yes ☐ No ☒

15. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

(a) At preliminary hearing JEROME P. AQUINO, Attorney-at-Law,

6225 Brandon Avenue, #406, Springfield, Virginia 22150

Phone No. 703-451-1111

(b) At arraignment and plea SAME AS ABOVE

(c) At trial SAME AS ABOVE

(d) At sentencing SAME AS ABOVE

(e) On appeal SAME AS ABOVE

(f) In any post-conviction proceeding "PRO SE"

(g) On appeal from any adverse ruling in a post-conviction proceeding _____

16. Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at approximately the same time?

Yes ☐ No ☒

17. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack?

Yes ☐ No ☒

(a) If so, give name and location of court which imposed sentence to be served in the future: _____

(b) Give date and length of the above sentence: _____

(c) Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed the sentence to be served in the future?

Yes ☐ No ☐

Wherefore, movant prays that the Court grant him all relief to which he may be entitled in this proceeding.

Signature of Attorney (if any)

I declare under penalty of perjury that the foregoing is true and correct. Executed on

10-29-14

Date

Corey J. Jones
Signature of Movant